



## **Cowes Enterprise College – Isle of Wight – Site Visit 21<sup>st</sup> March 2013**

### **Introduction**

An EFA representative visited Cowes Enterprise College on 21<sup>st</sup> March 2013. They met with the Council Project Leader and his team, the Colleges Interim Principal, the Chair of the Trust, the Chair of the Governing Body and was shown round the new building by the Pihl UK Ltd Project Manager.

Cowes Enterprise College is a Building Schools for the Future (BSF) One School Pathfinder which received £32m capital funding, paid from 2007/08 to 2010/11. The school was scoped and procured by the Local Authority (LA) as a one off procurement. The design and build contract is between the Council and the contractor, Pihl UK Ltd. As a BSF One School Pathfinder, PfS/EFA has had no involvement in the procurement or monitoring of this project, as funding was awarded to the Council directly by the Department. Responsibility for delivering the scheme remained with the Local Authority throughout. The school was due to open in December, 2011, however it is still not suitable for occupation.

The last funding was paid in 2011-12 and in a subsequent check undertaken by the EFA; the Council had confirmed that approximately £31m has been paid in tranches to the contractor, based on a 'work completed' assessment by the Council's Quantity Surveyors, Gardiner Theobald. The remaining c. £1m has been retained by the Council as leverage to ensure that Pihl UK Ltd completes construction work to an acceptable standard.

From initial reports there appeared to be a number of issues that have contributed to the delay to opening, including but not limited to:

- ☐ Disputes between the contractor and sub-contractors leading to court settlements;
- ☐ Health and safety concerns relating to building structural issues, mechanical & electrical systems and poor quality finishing detailing;
- ☐ <redacted>.

Furthermore, following an Ofsted inspection in November 2012, the school principal resigned in December 2012. The inspection report, published in January, indicated the school should be placed in Special Measures. Inspectors found that the school's achievement, quality of teaching and leadership and management were inadequate.

The contractor, Pihl UK Ltd, is a wholly owned subsidiary of E. Pihl & Søn A.S., a Danish company. The company is based in Aberdeen and its website indicates that it operates throughout Great Britain. Pihl UK Ltd has worked on Aberdeen 3R's school projects, and was hopeful at the time of bidding for the Cowes project of establishing a presence in southern England to pursue work on LA BSF contracts as they came to market.

Pihl UK Ltd was duly successful in its bid for the Cowes Enterprise College. The proposed solution provided the Council with a school designed with a '21st Century education vision', whereas the only other competitor's bid provided a less novel scheme.<redacted>.

<redacted> It appears that the Council did not employ an Independent Certifier to confirm that work was acceptable or complete which would be the more usual approach. The school subsequently moved all its equipment it into the new buildings. At that time, pupils and staff did not move. It became immediately clear that most rooms were not completed, the BMS (building management system - which controls the heating and ventilation to the building) was not fully functioning or effective, and that the buildings were nowhere near completed and as a consequence entirely unsuitable for use as a teaching and learning environment. Accordingly, the equipment was immediately returned to the old school and teaching recommenced there.

Following the cancellation of the move, the original project team of two Council officers were, and currently remain, suspended and are under investigation. A new project management team was appointed. Not only have they forged a good working partnership with the school senior team, they have also made every effort to manage the contractor and work towards rectification of the numerous <redacted> issues.<redacted>

### **Site Visit**

During the site visit and discussions with the school and Council project teams, it has become clear that the problems are complex <redacted>.

Amongst a substantial number of complex issues <redacted> the building was originally to be naturally ventilated, but this has proved to be unsustainable and the contractor subsequently agreed to retrofit a mechanical and electrical system. This has clearly had an effect on build quality and costs, and also caused further delay to building completion.

The site visit also revealed a considerable snagging list, of which many items are substantial and the majority are health & safety related. Furthermore, the quality of internal and external finishing detail is simply not to an acceptable standard. Some of the health & safety concerns include:

1. Stairs which pupils can walk under, with the risk of head injury;
2. Environmental controls and sensors behind doors and also often under coat hooks;
3. Windows where the external wood trim will allow fingers to be trapped if opened;
4. 'Safety' glass which does not appear to have a kite mark;
5. Disabled toilet doors which are hinged to concertina and trap fingers;
6. Two large feature ponds to the front of the school, the size of squash courts, which have almost 30cm of water in.

These represent only some of the issues encountered during the visit. The quality of the build is poor and in particular the finishes, which may well lead to the requirement for extensive Facilities Management services to provide a continuing and costly maintenance programme to prevent the building from quickly deteriorating (however these may be as specified in the contract). The school may struggle to meet the

costs of such a proactive regime from its existing budget, given this expenditure would be extraordinary compared to a typical maintenance regime at a school of this size. The Council have been asked to support the school in identifying and managing the process of establishing the initial FM contracts.

### **Project Completion**

The Council's project team is now capable and totally committed to completing the project. However, they are struggling with a contractor that is anxious to reduce its exposure by completing practical completion and hand the scheme over as soon as possible. To that end, Pihl UK Ltd served notice of Practical Completion on the Council on 22/3/13. The Council disputes that the building is complete and has now indicated that it will be using its internal legal team to deal with this issue.

The school, parents and local community are expecting the school to open in September 2013. <redacted> the extent of additional and/or remedial works required.

Despite the major effort being made by the Council project team, the contractor is proving very challenging to deal with <redacted>.

<redacted> Whilst the Council's current action plan is acceptable, we would suggest that EFA needs to assign an experienced Project Director who can attend on a monthly basis to review progress, assist in bringing together all parties and make recommendations as appropriate. <redacted>

<redacted>

<redacted>

<redacted>

### **Conclusion**

The <redacted>, the quality of build is not to the standard of most other completed BSF schools. In addition, construction is not yet complete, with a major structural and fabric snagging list, including many health & safety items yet to be rectified or completed. <redacted>

The Council underperformed initially with regard to the quality of its procurement processes, the level of contract management and the overall project management of the scheme. The new project management team has, however, developed a workable and realistic action plan, but despite a major and co-ordinated effort, has struggled to cope with the inherent construction and process problems caused by the contractor's behaviour.

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